

INTERVIEW SUMMARY

Recordation of the March 15, 2005 Interview

1. Applicant presented a Proposed Amendment which is identical to the amendment presented herein. No demonstration was conducted.
2. The claims discussed were claims 1-16, inclusive.
3. The prior art discussed was the prior art relied upon in the Final Office Action including U.S. patent number 5,921,019 to Baek and U.S. patent number 6,669,105 to Bryan.
4. The proposed amendments discussed are the same as the amendments presented herein, which are also described in the Examiner's Interview Summary.
5. The general thrust of the arguments presented to the Examiner was and is that the references cited in the Final Office Action are trucks which are not manually positionable, and which do not include manually positionable discharge arms.
6. No other pertinent matter was discussed.
7. The results or outcome of the interview are fully discussed in the Examiner's Interview Summary.

Applicant wants to express appreciation for the courteous interview granted by Examiner Bret C. Hayes to the undersigned attorney for applicant on March 15, 2005. During the interview the revision to applicant's claims comprised in the present Amendment were discussed. Applicant pointed out that the amended claims require manual positioning of the insect control mister relative

to the underlying surface. Applicant further pointed out that the references cited in the Final Office Action comprise trucks, thereby indicating any possibility of manual positioning of the device.

Applicant further pointed out that the amended claims require manual positioning of the discharge arms relative to the frame and relative to each other. The applicant further pointed out that although Baek patent number 5,921,019 discloses four discharge devices, such devices are not manually positionable in any sense whatsoever, and that the discharge devices of Baek are intended for tree spraying, and not for discharging insecticide into engagement with flying insects.

During the interview the Examiner indicated that applicant's claims as amended were considered to be allowable. The Examiner went on to point out that the indication of allowability is subject to:

1. A further search; and
2. A conference among the Examiner, a Primary Examiner, and the Examiner's Supervisor wherein the allowability of applicant's claims will be finally decided.

A copy of the Interview Summary prepared by the Examiner at the completion of the interview is attached hereto and is incorporated hereby reference.

ARGUMENT IN SUPPORT OF PATENTABILITY

Applicant's amended claims include the requirement of manual positioning of the frame relative to the underlying surface. Both of the references cited in the Office Action comprise trucks. It is respectfully submitted that the cited references do not teach or even remotely suggest the concept of manual positioning of a frame comprising the supporting structure for an insect control apparatus.

Applicant's amended claims further include the requirement of manual positioning of the four discharge arms relative to the frame and relative to each other. It is respectfully submitted that although the device disclosed in U.S. patent number 5,921,019 to Baek discloses four discharge devices 16, the discharge devices 16 of Baek are not positionable relative to one another, and are not manually positionable in any sense whatsoever. Moreover, the Baek device is a tree spraying device and is not a device intended to spray insecticide into engagement with flying insects.

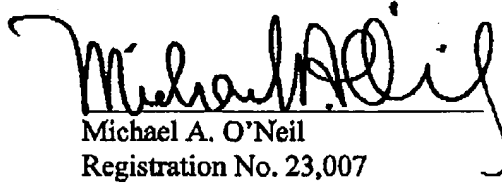
Bryan patent number 6,669,105 is considered by applicant to be irrelevant to the patentability of the present claims due to the fact that 1) the Bryan device is a truck and therefore is not manually positionable, and 2) the Bryan device includes a single discharge device 7 which does not appear to be positionable in any sense.

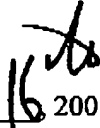
It is therefore respectfully submitted that the claims as now presented are in condition for favorable action and allowance.

10

Respectfully submitted,

MICHAEL A. O'NEIL, P.C.


Michael A. O'Neil
Registration No. 23,007


Date: March 16, 2005
5949 Sherry Lane, Suite 820
Dallas, Texas 75225
(214) 739-0088
(214) 739-8284 (Fax)

700650-1002 Amendment after final.wpd